



Description of graphic: RI State Seal an anchor in gold behind a blue wheelchair logo. Just below is a blue banner with the state motto "Hope". All are in the center of a ring of 8 blue stars, in groups of 2 separated by the logos for Braille, hearing aids, low vision and amplified phone.

# Governor's Commission on Disabilities Legislation Committee Minutes

Monday July 12, 2010 3–4:30 PM

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 <b>Attendees:</b>	Linda Ward (Chair.); William R. Inlow (Vice Chair.); Rebecca Boss; Sharon Brinkworth; Rosemary C. Carmody; Timothy Flynn; Elaina Goldstein; Laura Jones; & Arthur M. Plitt
<b>Absent:</b>	Ray Bandusky; Jeanne Behie; Deborah Buffi; Julie DeRosa; Linda Deschenes; Jean Lawlor; Maureen Maigret; Kate McCarthy-Barnett; Paula Parker; Gwendolyn Reeve; Msgr. Gerard O. Sabourin; Sarah Everhart Skeels; & Theresa Thaelke
<b>Guests:</b>	Dawn Hawkins & Charlotte Higham – the Homestead Group
<b>Staff:</b>	Bob Cooper, Jonathan Moffat

	Agenda Topics	Moderator/Leader	Time
 <small>Clock graphic</small>	Call to Order and Acceptance of the Minutes	Linda Ward, Chairperson	3:00
Chair calls the meeting to order at 3:04 PM Introductions of Commissioners and guests			
<b>MOTION:</b> To accept the minutes of the previous meeting as presented <b>AP/RC passed</b>			

Action Items:			
 <small>law graphic</small>	Commission's Legislative Package	Bob Cooper, Executive Secretary	3:05
Purpose/Goal: To review the final status of the Legislative Package for FY 2010			
<b>Legislation Committee Status Report on 7/2/2010</b>			

Recommendation	Successful Outcome		
	Total	Number	%
Governor Sign	11	9	82%
Governor Veto	2	2	100%
Supported	1	1	100%

Recommendation	Successful Outcome		
	Total	Number	%
Supported if amended	4	1	25%
Opposed	1	1	100%
Neutral now amended	1	1	100%
Needed further study	1	0	0%
<b>Commission total</b>	<b>21</b>	<b>15</b>	<b>71%</b>
Beneficial	17	1	6%
Beneficial if amended	12	7	58%
Harmful	8	8	100%
Harmful if amended	2	2	100%
<b>Committee total</b>	<b>39</b>	<b>18</b>	<b>46%</b>
<b>Grand Total</b>	<b>60</b>	<b>33</b>	<b>55%</b>

**The Commission recommended the Governor sign these 11 acts**

**82% success rate:** Signed by Governor 3; Effective without Governor's signature 6; Vetoed by Governor 2

**Signed by Governor**

Public Laws 2010

Effective Date: 6/22/2010

**Chapter 101**

**10 H 7378 AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF MENTAL HEALTH, RETARDATION AND HOSPITALS -- NEW TITLE** Rep. Ferri & Reps. Ajello, Messier, McNamara, Naughton

History: Introduced on 2/4/2010, Last Action on 6/22/2010, House Voted on 3/24/2010, Senate Voted on 6/11/2010, 2nd House Vote on , 2nd Senate Vote on . Identical to S 2783

**Commission Legislative Impact Statement:**

Revising the name of the department is long overdue.

GCD Actions: Legislation Committee Voted on 2/9/2010, Commission Voted on , Letters sent to the House Committee on 2/24/2010, Senate Committee on 5/11/2010, Testified to House Committee on , Senate Committee on , Letter sent to the Governor on 6/15/2010.

**Chapter 105**

**10 S 2783 AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF MENTAL HEALTH, RETARDATION AND HOSPITALS -- NEW TITLE** Sen. Perry & Sens. Walaska, Miller, Goodwin, Tassoni

This act would change the name and any reference to the department of mental health, retardation and hospitals to the department of behavioral healthcare, developmental disabilities and hospitals. This act would take effect upon passage.

History: Introduced on 4/13/2010, Last Action on 6/22/2010, House Voted on 6/9/2010, Senate Voted on 5/26/2010, 2nd House Vote on , 2nd Senate Vote on . Identical to H 7378

**Commission Legislative Impact Statement:**

Revising the name of the department is long overdue.

GCD Actions: Legislation Committee Voted on 2/9/2010, Commission Voted on , Letters sent to the House Committee on , Senate Committee on 5/11/2010, Testified to House Committee on , Senate Committee on , Letter sent to the Governor on 6/15/2010.

**Chapter 102**

**10 H 7118 Sub A AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- SUSPENSION OR REVOCATION OF LICENSES** Rep. Gablinske & Reps. DaSilva, Carnevale, Almeida, Gallison

This act would make it a felony punishable by imprisonment for not more than 3 years and by a fine of not more than \$3,000 for any person to drive or otherwise operate any vehicle in the state while under the influence of any intoxicating liquor, drugs, toluene, or any controlled substance, or any combination of these, when his or her license to operate is suspended, revoked or cancelled for operating under the influence of a narcotic drug or intoxicating liquor. This act would also require the sentencing court to require alcohol and/or drug treatment for the individual. This act would also require alcohol and/or drug treatment for an individual not intoxicated by operating on a suspended license, where the suspension is due to a previous conviction for driving under the influence or a chemical test refusal. This act would take effect upon passage.

The Substitute establishes criteria regarding the sentencing of individuals who have "served the court ordered period of suspension, but who, for any reason, has not had their license reinstated after the period of suspension, revocation, or suspension has expired".

History: Introduced on 1/13/2010, Last Action on 6/22/2010, House Voted on 6/8/2010, Senate Voted on 6/11/2010, 2nd House Vote on , 2nd Senate Vote on . Identical to S 2062

**Commission Legislative Impact Statement:**

According to Alcohol Alert, in 2008 alone there were 29 fatalities in Rhode Island due to drinking and driving, making up 45% of all traffic incidents in the state. To prevent more people acquiring disabilities stricter enforcement of driving under the influence is needed deter some from people from getting behind the wheel while intoxicated.

GCD Actions: Legislation Committee Voted on 2/9/2010, Commission Voted on , Letters sent to the House Committee on 2/24/2010, Senate Committee on , Testified to House Committee on , Senate Committee on , Letter sent to the Governor on 6/15/2010.

**Effective without Governor's signature**

Public Law 2010

Next Action/Effective Date: 6/25/2010

## Chapter 206

### 10 H 7300 Sub A AN ACT RELATING TO HIGHWAYS-ACCESSIBLE CROSSWALKS Rep. Kennedy & Reps. Naughton, Lima, Lally, Martin

Requested by the Governor's Commission on Disabilities

This act would require the installation of curb cuts and/or ramps at both ends of any pedestrian crosswalk on all state, city and town sidewalks. This act would take effect upon passage.

The Substitute would also require all privately developed sidewalks and pedestrian crosswalks that will be turned over to cities and towns (by the developer) to also meet state standards.

History: Introduced on 1/28/2010, Last Action on 6/25/2010, House Voted on 5/26/2010, Senate Voted on 6/3/2010, 2nd House Vote on , 2nd Senate Vote on . Identical to S 2133

#### Commission Legislative Impact Statement:

This legislation is necessary to ensure the safety of individuals who use wheelchairs while crossing a street at a pedestrian crosswalk. Unfortunately there are several pedestrian crosswalks with curb cuts or ramps at only one side of the street. At night a person using a wheelchair might not know she/he is unable to get back onto the sidewalk until partway across the street. The Substitute version was worked out in consultation with the RI Department of Transportation and the RI League of Cities and Towns.

GCD Actions: Legislation Committee Voted on 1/8/2010, Commission Voted on 11/16/2009, Letters sent to the House Committee on 2/24/2010, Senate Committee on , Testified to House Committee on 2/25/2010, Senate Committee on 3/24/2010, Letter sent to the Governor on 6/15/2010.

## Chapter 213

### 10 S 2133 Sub A as Amended AN ACT RELATING TO HIGHWAYS-ACCESSIBLE CROSSWALKS Sen. Tassoni & Sens. Lanzi, Cote Requested by the Governor's Commission on Disabilities

This act would require the installation of curb cuts and/or ramps at both ends of any pedestrian crosswalk. This act would take effect upon passage.

The Substitute as Amended would also require all privately developed sidewalks and pedestrian crosswalks that will be turned over to cities and towns (by the developer) to also meet state standards.

History: Introduced on 2/4/2010, Last Action on 6/25/2010, House Voted on 6/8/2010, Senate Voted on 5/27/2010, 2nd House Vote on , 2nd Senate Vote on . Identical to H 7300

#### Commission Legislative Impact Statement:

This legislation is necessary to ensure the safety of individuals who use wheelchairs while crossing a street at a pedestrian crosswalk. Unfortunately there are several pedestrian crosswalks with curb cuts or ramps at only one side of the street. At night a person using a wheelchair might not know she/he is unable to get back onto the sidewalk until partway across the street. The Substitute version was worked out in consultation with the RI Department of Transportation and the RI League of Cities and Towns.

GCD Actions: Legislation Committee Voted on 1/8/2010, Commission Voted on 11/16/2009, Letters sent to the House Committee on 6/8/2010, Senate Committee on 2/24/2010, Testified to House Committee on , Senate Committee on 3/23/2010, Letter sent to the Governor on 6/15/2010.

## Chapter 201

### 10 H 7498 Sub A AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS--WHEELCHAIR ACCESSIBLE TRANSPORTATION Rep. Coderre E & Reps. Kilmartin, Pollard, Kennedy, Giannini Requested by the Governor's Commission on Disabilities

This act would authorize and direct the Rhode Island public transit authority, in consultation with the division of public utilities and carriers and the governor's commission on disabilities to develop the "John J. MacDonald, Jr. Transportation Initiative" for a statewide federally funded "New Freedom Program" to reduce barriers to transportation services and expand the transportation mobility options available to people with disabilities that need wheelchair accessible transportation beyond the requirements of the Americans with Disabilities Act (ADA) of 1990, by September 30, 2010. The implementation of the "John J. MacDonald, Jr. Transportation Initiative" would begin on or before January 1, 2011. This act would take effect upon passage.

The Substitute clarifies that the 20% local match to the federal funds will be from private funds and not have a negative financial impact on RIPTA's operating budget.

History: Introduced on 2/23/2010, Last Action on 6/25/2010, House Voted on 5/5/2010, Senate Voted on 6/9/2010, 2nd House Vote on 6/11/2010, 2nd Senate Vote on . Identical to S 2674

#### Commission Legislative Impact Statement:

This act would authorized and directed the RIPTA, in consultation with the division of public utilities and carriers and the governor's commission on disabilities to develop the "John J. MacDonald, Jr. Transportation Initiative" for a statewide federally funded "New Freedom Program" to reduce barriers to transportation services and expand the transportation mobility options available to people with disabilities that need wheelchair accessible transportation beyond the requirements of the Americans with Disabilities Act (ADA) of 1990, by September 30, 2010.

The owner/operators of the wheelchair accessible taxicabs or public motor vehicles, and not the Rhode Island Public Transit Authority, would be responsible for the non-federal match for purchasing, and all operating and maintenance of the wheelchair accessible taxicabs or public motor vehicles.

The act would also require RIPTA to implement the "John J. MacDonald, Jr. Transportation Initiative" on or before January 1, 2011. We have met with representatives from RIPTA and the Division of Public Utilities and Carriers and incorporated language they requested While RIPTA and the DPUC believe no legislation would be needed the Commissioners felt the statutory codification of the John J. MacDonald, Jr. Transportation Initiative would be a fitting memorial to our late Chairperson.

GCD Actions: Legislation Committee Voted on , Commission Voted on 11/16/2009, Letters sent to the House Committee on 3/16/2010, Senate Committee on , Testified to House Committee on 4/27/2010, Senate Committee on , Letter sent to the Governor on 6/15/2010.

## Chapter 210

### 10 S 2674 Sub A AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS - WHEELCHAIR ACCESSIBLE TRANSPORTATION Sen. Walaska & Sens. Sosnowski, McCaffrey, Felag, Bates Requested by the Governor's Commission on Disabilities

This act would authorize and direct the Rhode Island public transit authority, in consultation with the division of public utilities and carriers and the governor's commission on disabilities to develop the "John J. MacDonald, Jr. Transportation Initiative" for a statewide federally funded "New Freedom Program" to reduce barriers to transportation services and expand the transportation mobility options available to people with disabilities that need wheelchair accessible transportation beyond the requirements of the Americans with Disabilities Act (ADA) of 1990, by September 30, 2010. The implementation of the "John J. MacDonald, Jr. Transportation Initiative" would begin on or before January 1, 2011. This act would take effect upon passage.

The Substitute clarifies that the 20% local match to the federal funds will be from private funds and not have a negative financial impact on RIPTA's operating budget.

History: Introduced on 3/10/2010, Last Action on 6/25/2010, House Voted on 6/8/2010, Senate Voted on 6/3/2010, 2nd House Vote on , 2nd Senate Vote on . Identical to H 7498

#### Commission Legislative Impact Statement:

This act would authorized and directed the RIPTA, in consultation with the division of public utilities and carriers and the governor's commission on disabilities to develop the "John J. MacDonald, Jr. Transportation Initiative" for a statewide federally funded "New Freedom Program" to reduce barriers

to transportation services and expand the transportation mobility options available to people with disabilities that need wheelchair accessible transportation beyond the requirements of the Americans with Disabilities Act (ADA) of 1990, by September 30, 2010. The owner/operators of the wheelchair accessible taxicabs or public motor vehicles, and not the Rhode Island Public Transit Authority, would be responsible for the non-federal match for purchasing, and all operating and maintenance of the wheelchair accessible taxicabs or public motor vehicles. The act would also require RIPTA to implement the "John J. MacDonald, Jr. Transportation Initiative" on or before January 1, 2011. We have met with representatives from RIPTA and the Division of Public Utilities and Carriers and incorporated language they requested. While RIPTA and the DPUC believe no legislation would be needed the Commissioners felt the statutory codification of the John J. MacDonald, Jr. Transportation Initiative would be a fitting memorial to our late Chairperson.  
GCD Actions: Legislation Committee Voted on , Commission Voted on , Letters sent to the House Committee on 6/8/2010, Senate Committee on 4/8/2010, Testified to House Committee on , Senate Committee on 6/1/2010, Letter sent to the Governor on 6/15/2010.

#### Chapter 163

##### **10 H 7490 As Amended AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - CRIMINAL PROCEDURE SENTENCE AND EXECUTION - HATE CRIMES** Rep. Segal & Reps. Ferri, Williams, Slater, Diaz

This act would include crimes against homeless persons within the definition of "hate crimes" for the purposes of reporting and monitoring by the state police. This act would take effect upon passage.

The Floor Amendment would add a clause that "[t]his section shall not be construed to increase or enhance the penalties against the perpetrators of hate crimes as defined in this section, unless provided for by any other section of law."

History: Introduced on 2/11/2010, Last Action on 6/25/2010, House Voted on 5/19/2010, Senate Voted on 6/11/2010, 2nd House Vote on , 2nd Senate Vote on . Identical to S 2323

##### **Commission Legislative Impact Statement:**

Hate crimes by their very nature are acts to intimidate not only the victim but all other individuals who share similar characteristics. A large position of homeless persons are living on the streets due to a disability.

GCD Actions: Legislation Committee Voted on 2/22/2010, Commission Voted on , Letters sent to the House Committee on 3/16/2010, Senate Committee on , Testified to House Committee on , Senate Committee on , Letter sent to the Governor on 6/15/2010.

#### Chapter 167

##### **10 S 2323 Sub A AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - CRIMINAL PROCEDURE SENTENCE AND EXECUTION - HATE CRIMES** Sen. Metts & Sens. Pichardo, Jabour, Perry, Crowley

This act would include crimes against homeless persons within the definition of "hate crimes" for the purposes of reporting and monitoring by the state police. This act would take effect upon passage.

The Substitute would add a provision that "This section shall not be construed to increase or enhance the penalties against the perpetrators of hate crimes as defined in this section, unless provided for by any other section of law."

History: Introduced on 2/11/2010, Last Action on 6/25/2010, House Voted on 6/9/2010, Senate Voted on 6/9/2010, 2nd House Vote on , 2nd Senate Vote on . Identical to S 7490 Sub A

##### **Commission Legislative Impact Statement:**

Hate crimes by their very nature are acts to intimidate not only the victim but all other individuals who share similar characteristics. A large position of homeless persons are living on the streets due to a disability.

GCD Actions: Legislation Committee Voted on 2/22/2010, Commission Voted on , Letters sent to the House Committee on , Senate Committee on , Testified to House Committee on , Senate Committee on , Letter sent to the Governor on 6/15/2010.

### Vetoed by Governor

House of Representatives Gordon D. Fox, Speaker

##### **10 H 7044 AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT-STATE POLICE** Rep. Ajello & Reps. Ferri, Segal, Walsh, Handy

This act would make the definitions of disability, sexual orientation, gender identity and expression the same as set forth in Rhode Island general laws section 11-24-2.1. This act would take effect upon passage.

History: Introduced on 1/7/2010, Last Action on 6/22/2010, House Voted on 4/28/2010, Senate Voted on 6/11/2010, 2nd House Vote on , 2nd Senate Vote on . Identical to S 2055

##### **Commission Legislative Impact Statement:**

Using consistent definitions for all the state's civil rights laws reduces confusion. Hate crimes are aimed at scaring and intimidating a group of people not just the victim.

GCD Actions: Legislation Committee Voted on 2/9/2010, Commission Voted on , Letters sent to the House Committee on 2/24/2010, Senate Committee on , Testified to House Committee on , Senate Committee on , Letter sent to the Governor on 6/15/2010.

Senate Teresa Paiva-Weed, President

##### **10 S 2055 AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- STATE POLICE** Sen. Miller & Sens. Perry, Connors, Sosnowski, Lynch

This act would make the definitions of disability, sexual orientation, gender identity and expression the same as set forth in Rhode Island general laws section 11-24-2.1. This act would take effect upon passage.

History: Introduced on 1/13/2010, Last Action on 6/22/2010, House Voted on 6/8/2010, Senate Voted on 6/3/2010, 2nd House Vote on , 2nd Senate Vote on . Identical to H 7044

##### **Commission Legislative Impact Statement:**

Using consistent definitions for all the state's civil rights laws reduces confusion. Hate crimes are aimed at scaring and intimidating a group of people not just the victim.

GCD Actions: Legislation Committee Voted on 2/9/2010, Commission Voted on , Letters sent to the House Committee on , Senate Committee on 2/24/2010, Testified to House Committee on , Senate Committee on , Letter sent to the Governor on 6/15/2010.

### The Commission recommends the Governor veto these 2 acts

**100% success rate:** Vetoed by Governor 1; Passed in Concurrence, but not transmitted to the Governor 1, which is identical to the vetoed bill.

### Vetoed by Governor

Senate Teresa Paiva-Weed, President

##### **10 S 2425 Sub A AN ACT RELATING TO HEALTH AND SAFETY -- LICENSING OF HEALTH CARE FACILITIES** Sen. Perry & Sens. Goodwin, Levesque C, Pichardo, Metts

This act would implement a moratorium on new initial licenses for hospice providers, home nursing care providers, and home care providers until July 1, 2012. This act would take effect upon passage.

The Substitute would implement a moratorium on the issuance of new initial licenses for hospice providers, home nursing care providers, and home care providers for one year beginning on January 1, 2011. Applications submitted on or before December 31, 2010 would not be subject to the moratorium.

History: Introduced on 2/11/2010, Last Action on 6/22/2010, House Voted on 6/9/2010, Senate Voted on 6/8/2010, 2nd House Vote on , 2nd Senate Vote on . Identical to H 7331 as Amended

**Commission Legislative Impact Statement:**

As the state rebalances its Medicaid long term care system we will need more not fewer, home and community based service providers. Providing users of home and community based health care and independent living providers will enhance and improve services through competition.

GCD Actions: Legislation Committee Voted on 3/15/2010, Commission Voted on , Letters sent to the House Committee on , Senate Committee on , Testified to House Committee on , Senate Committee on , Letter sent to the Governor on 6/15/2010. Commission

**Passed in Concurrence**

Senate Desk Teresa Paiva-Weed, President

Next Action/Effective Date:

**10 H 7331 As Amended AN ACT RELATING TO HEALTH AND SAFETY - LICENSING OF HEALTH CARE FACILITIES**

Rep. McNamara

This act would implement a moratorium on new initial licenses for hospice providers, home nursing care providers, and home care providers until July 1, 2012. This act would take effect upon passage.

The Amendment would implement a moratorium on the issuance of new initial licenses for hospice providers, home nursing care providers, and home care providers for one year beginning on January 1, 2011. Applications submitted on or before December 31, 2010 would not be subject to the moratorium.

History: Introduced on 2/3/2010, Last Action on 6/11/2010, House Voted on 5/12/2010, Senate Voted on 6/11/2010, 2nd House Vote on , 2nd Senate Vote on . Identical to S 2425 Sub A

**Commission Legislative Impact Statement:**

As the state rebalances its Medicaid long term care system we will need more not fewer, home and community based service providers. Providing users of home and community based health care and independent living providers will enhance and improve services through competition.

GCD Actions: Legislation Committee Voted on 3/15/2010, Commission Voted on , Letters sent to the House Committee on 3/16/2010, Senate Committee on , Testified to House Committee on , Senate Committee on , Letter sent to the Governor on 6/15/2010.

**Commission Supports this budget article**

**100% success rate:** Effective without Governor's signature 1

**Effective without Governor's signature**

Public Law 2010

Effective Date: 6/12/2010

**Chapter 023**

**10 H 7397 Article 19 RELATING TO CHILDREN'S HEALTH ACCOUNT** Rep. Watson Requested by the Governor

This article would specify the exact set of Medicaid services that fall under the auspices of the Children's Health Account to include: (1) home health services, which include pediatric private duty nursing and certified nursing assistant services; (2) comprehensive, evaluation, diagnosis, assessment, referral and evaluation (CEDARR) services, which include CEDARR family center services, home based therapeutic services, personal assistance services and supports (PASS) and kids connect services and (3) child and adolescent treatment services (CAITS). The article would also raise the amount utilized to determine the total annual assessment on insurers from \$5,000 to \$6,000 per child per service per year. This article would take effect as of July 1, 2010.

History: Introduced on 2/3/2010, Last Action on 6/12/2010, House Voted on 6/3/2010, Senate Voted on 6/4/2010, 2nd House Vote on , 2nd Senate Vote on .

**Commission Legislative Impact Statement:**

Expanding the services available through the Children's Health Accounts to include private pediatric duty nursing, certified nursing assistance, CEDARR, PASS and CAITS will help families of children with special health care needs. This program was started to address the problem families of children with special health care needs found themselves in when their employer provided health insurance carrier and the state's Medicaid system each thought the other should be responsible for paying for services. The additional services will continue the state's effort to rebalance the Medicaid services towards more home and community based care.

GCD Actions: Legislation Committee Voted on 2/9/2010, Commission Voted on 2/15/2010, Letters sent to the House Committee on , Senate Committee on 3/1/2010, Testified to House Committee on 2/25/2010, Senate Committee on 3/4/2010, Letter sent to the Governor on .

**Commission Supports if amended these 4 acts**

**25% Success rate:** Indefinitely Postponed 1; Held for Further Study, Continued, or Heard 3

**Held for Further Study, Continued, or Heard**

House Finance Committee Steven M. Costantino, Chairperson

**10 H 7369 AN ACT RELATING TO CRIMINAL OFFENSES - ADULT CRISIS INTERVENTION - CENTER AND PROTECTIVE SERVICES** Rep.

Naughton & Reps. Rice M, Coderre Requested by the Governor's Commission on Disabilities

This act would establish an adult crisis intervention center for vulnerable elders and adults with disabilities within the executive office of health and human services in accordance with the provisions of Rhode Island Public Law 2009, Chapter 068, Article 05, Section 01. It would create a single statewide toll free, 24 hour a day, 7 days a week telephone line, for adult crisis intervention services, such as for reporting assaults, abuse, neglect, exploitation and self-neglect of patients/clients in health and human service facilities, or by health and human service practitioners, providers, or caregivers. Sections 2, 3, 6, 8, 10 and 11 would take effect on July 1, 2010. The remaining sections of this act would take effect on January 1, 2011.

History: Introduced on 2/4/2010, Last Action on 5/20/2010, House Voted on , Senate Voted on , 2nd House Vote on , 2nd Senate Vote on . Identical to S 2206

**Commission Legislative Impact Statement:**

According to the National Center on Elderly Abuse, only 1 in every 6 cases of elderly abuse in adults is reported. Individuals with disabilities are also between 2 to 5 more times more likely to be abused than those without. The Commission believes that these statistics illustrate a severe need for adult crisis intervention services so that abuse can be reported and dealt with accordingly.

Creating an adult crisis intervention program with a statewide toll free phone line, will allow victims to report in a confidential and timely manner, and would be a helpful apparatus in preventing further abuse. The Commission supports the draft Sub A developed in consultation with the Departments of Elderly Affairs; Health; & Mental Health, Retardation and Hospitals; the Executive Office of Health and Human Services; and the Long Term Care Ombudsperson.

GCD Actions: Legislation Committee Voted on 1/8/2010, Commission Voted on 2/15/2010, Letters sent to the House Committee on 5/20/2010, Senate Committee on , Testified to House Committee on 5/20/2010, Senate Committee on , Letter sent to the Governor on .

Senate Health and Human Services Committee Rhoda E. Perry, Chairperson

**10 S 2206 AN ACT RELATING TO CRIMINAL OFFENSES-ADULT CRISIS INTERVENTION-CENTER AND PROTECTIVE SERVICES** Sen.

McCaffrey Requested by the Governor's Commission on Disabilities

This act would establish an adult crisis intervention center for vulnerable elders and adults with disabilities within the executive office of health and human services in accordance with the provisions of Rhode Island Public Law 2009, Chapter 068, Article 05, Section 01. It would create a single statewide toll free, twenty-four (24) hours a day, seven (7) days a week telephone line, for adult crisis intervention services, such as for reporting assaults, abuse, neglect, exploitation and self-neglect of patients/clients in health and human services facilities, or by health and human service practitioners, providers or caregivers. Sections 2, 3, 6, 8, 10 and 11 would take effect on July 1, 2010. The remaining sections of this act would take effect on January 1, 2011.

History: Introduced on 2/9/2010, Last Action on 4/7/2010, House Voted on , Senate Voted on , 2nd House Vote on , 2nd Senate Vote on . Identical to H 7369

**Commission Legislative Impact Statement:**

According to the National Center on Elderly Abuse, only 1 in every 6 cases of elderly abuse in adults is reported. Individuals with disabilities are also between 2 to 5 more times more likely to be abused than those without. The Commission believes that these statistics illustrate a severe need for adult crisis intervention services so that abuse can be reported and dealt with accordingly. Creating an adult crisis intervention center, with a statewide toll free phone line, will allow victims to report in a confidential and timely manner, and would be a helpful apparatus in preventing further abuse.

GCD Actions: Legislation Committee Voted on 1/8/2010, Commission Voted on 2/15/2010, Letters sent to the House Committee on , Senate Committee on 2/25/2010, Testified to House Committee on , Senate Committee on 4/7/2010, Letter sent to the Governor on .

Senate Finance Committee Daniel DaPonte, Chairperson

**10 S 2189 AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- MINORITY BUSINESS ENTERPRISE**

Sen. Metts & Sen. Pichardo

History: Introduced on 2/9/2010, Last Action on 5/13/2010, House Voted on , Senate Voted on , 2nd House Vote on , 2nd Senate Vote on .

**Commission Legislative Impact Statement:**

The Governor's Commission on Disabilities supports the enactment of 10 S 2189 An Act Relating to Public Property and Works -- Minority Business Enterprise, if it is amended to include the Disability Business Enterprise program, RIGL 37-2.2. The Disability Business Enterprise program is similar to the Minority and Women Business Enterprises, assisting small businesses owned by persons with severe disabilities and rehabilitation agencies acquire state contracts.

The Commission's amendment would be inserted on page 5 between lines 12 and 13:

SECTION 3. Sections 37-2.2-2 and 37-2.2-3.1 of the General Laws in Chapter 37-2.2-3.1 entitled "Disability Business Enterprise" are hereby amended to read as follows:

37-2.2-2 Definitions. – As used in this chapter, the following words and phrases shall have the following meanings unless the context shall indicate another or different meaning or intent:

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{ADD} (8) "State funded and state directed public construction programs and projects" means any construction project, construction contract or procurement contract for goods and services funded in whole or in part by state funds, or funds which, in accordance with federal grant or otherwise, the state expends or administers or in which the state is a signatory. Quasi independent state agencies, such as the Rhode Island public buildings authority. The Narragansett Bay commission and the Rhode Island port authority, are subject to the requirements outlined under these provisions. {ADD} 37-2.2-3.1 Policy and applicability. – It is the policy of the state of Rhode Island that small disadvantaged disability businesses shall have the maximum opportunity to participate in the performance of procurements and projects as outlined in this chapter.

This chapter shall apply to any and all state purchasing, including, but not limited to, the procurement of goods and services, construction projects, or contracts funded in whole or in part by state funds, or funds which, in accordance with a federal grant or otherwise, the state expends or administers or in which the state is a signatory to the construction contract.

{ADD} Small disadvantaged businesses owned and controlled by persons with disabilities shall be included in all procurements and construction projects under this chapter and shall be awarded a minimum of ten percent (10%) of the dollar value of the entire procurement or project. The director of administration, in consultation with the governor's commission on disabilities, is authorized and directed to establish rules and regulation formulas for giving small disadvantaged businesses owned and controlled by persons with disabilities a preference in contract and subcontract awards. {ADD} {DELETE} regulations for awarding contracts to small disadvantaged businesses owned and controlled by persons with disabilities in the procurement of goods, services, construction projects, or contracts funded in whole or in part by state funds, in accordance with § 37-2-9(b)(14).{DELETE}

And on page 5 line 13 delete the number "3" and insert therein the number "4".

GCD Actions: Legislation Committee Voted on 2/22/2010, Commission Voted on , Letters sent to the House Committee on , Senate Committee on 3/16/2010, Testified to House Committee on , Senate Committee on 5/13/2010, Letter sent to the Governor on .

**Indefinitely Postponed**

House Finance Committee Steven M. Costantino, Chairperson

**10 H 7397 Article 29 GBA 01 Governor's Amendment RELATING TO GOVERNMENT RESTRUCTURING** Rep. Watson Requested by the Governor

This article would require the Board of Governors for Higher Education, by Oct. 1, 2011, to submit a plan to the chairperson of the House Finance Committee, the chairperson of the Senate Finance Committee, and the State Budget Officer to improve the coordination of educational services provided by the Higher Education Assistance Authority and the Rhode Island Public Telecommunications Authority (RI PBS Channel 36). The plan would recognize the goal of improving and coordinating educational programs at the University and colleges under the purview of the Board of Governors and the pre-K-12 level the Rhode Island Department of Education.

The article would also require the director of the department of transportation, by Oct. 1, 2011, to submit a plan to the chairperson of the House Finance Committee, the chairperson of the Senate Finance Committee, and the State Budget Officer on the feasibility of transferring the Rhode Island Public Transit Authority to the department of transportation. This article shall take effect upon passage. The plan shall include a review of other comparable states where public transit is provided by the state's department of transportation and shall consider such administrative factors such as a labor issues, benefit comparisons, and pension benefit comparisons, and strategic planning issues such as effective allocation of transportation funds and planning for and provision of integrated multi-modal transportation systems. The plan would review the statutory missions of the Department of Transportation and the Rhode Island Public Transit Authority; consider applicable reports, analyses, and discussions with key individuals. The plan would recognize the goal of improving and coordinating transportation in the State of Rhode Island planning, development, and implementation of transit, rail, water, and bicycle/pedestrian transportation projects to expand access and mobility opportunities for Rhode Islander.

Governor's Amendment GBA 01 would changes the dates listed in Sections 1 and 2 for submitting restructuring plans should be from October 1, 2011 to October 1,2010.

History: Introduced on 2/3/2010, Last Action on 5/27/2010, House Voted on , Senate Voted on , 2nd House Vote on , 2nd Senate Vote on .

**Commission Legislative Impact Statement:**

This article should be amended to expand the planning to:

(Section 1) ensured that instructional television services will still be available with closed captioning for students who are deaf or hard of hearing. An amendment on page 1 line 13 by inserting between the word "parties" and the period, the words "and effected communities".

(Section 2) determine the impact on people who are transit dependent, including elders and people with disabilities. An amendment on page 1 line 26 insert after the word "Authority" the words ", organizations representing users of the Ride Paratransit service,".

GCD Actions: Legislation Committee Voted on 2/9/2010, Commission Voted on 2/15/2010, Letters sent to the House Committee on 2/24/2010, Senate Committee on 2/25/2010, Testified to House Committee on , Senate Committee on 2/25/2010, Letter sent to the Governor on .

## Commission Opposed this budget article

**100% Success rate:** Indefinitely Postponed 1

### Indefinitely Postponed

House Finance Committee Steven M. Costantino, Chairperson

**10 H 7397 Article 31 RELATING TO RITE CARE PROGRAM** Rep. Watson Requested by the Governor

This article would lower the income of recipients of Rite Care from 150% of the Federal Poverty level (FPL) to 133% who would be subject to premium cost-sharing, effective July 1, 2011. This article would take effect as of July 1, 2011.

History: Introduced on 2/3/2010, Last Action on 2/25/2010, House Voted on , Senate Voted on , 2nd House Vote on , 2nd Senate Vote on .

#### Commission Legislative Impact Statement:

This article would require a monthly Rite Care premium on families with incomes equal or greater than 133% of the federal poverty level, a family of four earning \$29,326.50. Currently families with incomes up to \$33,075 (150%) are able to participate in Rite Care without a premium. In this economy those families would delay seeking treatment until the medical condition deteriorated, then show up at the emergency room.

GCD Actions: Legislation Committee Voted on 2/9/2010, Commission Voted on 2/15/2010, Letters sent to the House Committee on 2/24/2010, Senate Committee on 2/25/2010, Testified to House Committee on 2/25/2010, Senate Committee on 3/4/2010, Letter sent to the Governor on .

## Commission Neutral now that it has been amended

**100% Success rate:** Effective without Governor's signature 1

### Effective without Governor's signature

Public Law 2010

Effective Date: 6/12/2010

#### Chapter 023

**10 H 7397 Article 09 Sub A as Amended RELATING TO REVENUES** (formerly 7397 Article 25 GBA 07 and 10 H 7105 Article 04 GBA Sub A RELATING TO DIVISION OF FEES AND FINES) Rep. Watson Requested by the Governor

This article would increase some fees at the Division of Motor Vehicles (DMV) and bring the law in line with business practices at the DMV. With the new computer system, RIMS, coming on line in March, 2010, the DMV has reviewed its practices with the existing law, and in the case where discrepancies occurred, has proposed to change the law. In other sections of the article, fees have been imposed, such road test fees, or raised, such as licenses for manufacturers' representatives and dealers.

Fees for non-driver photo identification cards would be increased from \$15 to \$25 for the initial card and at renewal every 5 years. Any person who has been designated as permanently and totally disabled by the social security administration or who upon certification by an optometrist, ophthalmologist or physician that a holder of a valid and current motor vehicle operator's license is no longer able to operate a motor vehicle, the administrator of the division of motor vehicles shall issue to such person, upon request, a Rhode Island identification card for the unexpired term of such person's motor vehicle operator's license at no additional cost, nor at any subsequent renewal. The fee for license plates designated as "Veteran", "Purple Heart", and "Ex-POW" would be reduced from \$20 to \$10 for the order of each set of plates. This article would take effect as of July 1, 2010.

Governor's Amendment: The revised version adds section 3-8-6.1 to the article, which provides for identification cards for persons under the age of 21, and increases fees from \$15.00 to \$25.00 consistent with section 3-8-6. The \$335,000 revenue estimate from the \$10.00 fee increase from \$15.00 to \$25.00 included revenues identification cards issued to persons under the age of 21.

The revised article also eliminates new language in section 3-8-6(b)(8), which provides that a permanently or totally disabled person formerly holding a driver's license would not be charged for renewal of a Rhode Island identification card. The Governor's Commission on Disabilities requested the amendment so that individuals who in the past held a driver's license with an identification card seeking a renewal are not charged the renewal fee while disabled persons who never held a driver's license requesting an identification card for the first time are charged the fee. Eliminating the new underlined language has the effect of treating all disabled individuals equitably.

The Substitute: Would not reduce the fee for license plates designated as "Veteran", "Purple Heart", and "Ex-POW" from \$20 to \$10 for the order of each set of plates, nor would the \$5 transfer charge for National Guard plates be eliminated.

Changes the Hospital Licensing fee from 5.237% to 5.276% of the net patient services revenue.

Eliminates the Medical Malpractice Insurance exemption from taxation on gross premiums and stabilization reserve funds of any joint underwriting association created to provide medical malpractice insurance. The annual 2% tax on the gross premiums on contracts for insurance will be retroactive to January 1, 2010.

This article would take effect upon passage.

The Floor Amendment extends the exemption from the \$25 flashing light permit fee to fire districts; the hospital licensing fee from 5.276% to 5.314% of net patient revenues for FY 2010 and an increase for FY 2011 from 5.276% to 5.465%; and the minimal fee of prepaid wireless telecommunication services for E911 charge.

History: Introduced on 2/3/2010, Last Action on 6/12/2010, House Voted on 6/3/2010, Senate Voted on 6/4/2010, 2nd House Vote on , 2nd Senate Vote on .

#### Commission Legislative Impact Statement:

This legislation needs to be amended on page 3 lines 2 - 4 by retaining the struck out sentence "Thereafter, a renewal of such card shall be subject to the standard renewal charge of fifteen dollars (\$15) until such person shall reach his or her fifty-ninth (59th) birthday." and deleting on lines 4 - 5 the underlined sentence "There shall be no charge for the subsequent renewal of a Rhode Island identification card issued under this subsection."

Eliminating the non-driver ID renewal charge for those individuals who have driven in the past, while charging a renewal rate of \$25 for individuals who because of a disability where never able to drive places an unequal financial burden on the more severely disabled person.

GCD Actions: Legislation Committee Voted on 2/9/2010, Commission Voted on 2/15/2010, Letters sent to the House Committee on 2/24/2010, Senate Committee on , Testified to House Committee on 3/3/2010, Senate Committee on , Letter sent to the Governor on .

## Commission Recommends Held for Further Study

**0% Success rate:** Effective without Governor's signature 1

### Effective without Governor's signature

Public Law 2010

**Chapter 023**

**10 H 7397 Article 21 (Merged with H 7105 Article 19) Sub A RELATING TO MEDICAID REFORM ACT** Rep. Watson Requested by the Governor This article would establish the legal authority for the Departments of Human Services and Mental Health, Retardation and Hospitals to undertake a series of programmatic reforms geared toward the restructuring of their respective Medicaid programs in FY 2011. These reforms include: (a) Expansion and integration of care management strategies; (b) Re-procure Medicaid managed care; (c) Enhance program integrity by improving estate recoveries; (d) Modify payment system for supportive employment programs and day treatment; (e) Refine payment system for multi-disciplinary treatment planning; (f) Establish behavioral health community safety net; (g) Restructuring of the network of providers serving persons with developmental disabilities; and (h) Transfer of state funded methadone maintenance and treatment to costs not otherwise matchable. The secretary of the office of health and human services would be authorized to pursue and implement any such necessary waiver amendments, category II or category III changes, state plan amendments and/or changes to the applicable department's rules, regulations and procedures. This article would take effect as of July 1, 2010. The Substitute does not include (c) Enhance program integrity by improving estate recoveries; or (d) Modify payment system for supportive employment programs and day treatment. Added from the FY 2010 Supplemental are (g) Pharmacy – SMAC Program for fee for service and (h) Personal Choice and Habilitation Services Reform.

History: Introduced on 2/3/2010, Last Action on 6/12/2010, House Voted on 6/3/2010, Senate Voted on 6/4/2010, 2nd House Vote on , 2nd Senate Vote on .

**Commission Legislative Impact Statement:**

The Commission recommends the House Finance Committee delay action until they receive an analysis of the actual changes and the specific impact on beneficiaries with disabilities as well as the impact on beneficiaries with disabilities if no changes are made.

The Budget Article 21's objectives (a) to establish a risk-based contractual agreement between the Medicaid agency and a contractor to manage primary, acute and long-term care services; (b) to seek a new managed care procurement for RlTe Care children and families; children with special health care needs; and adults enrolled in Rhody Health Partners living in the community ....for the purposes of achieving cost-effective program modifications including implementation of communities of care, rate reform, pharmacy efficiencies, selective contracting and enhanced benefit management; (c) to assure adequate resources for those with the greatest need by using the authority provided to the state under federal Medicaid law to recover Medicaid-funded medical costs for certain beneficiaries who have the resources to share in the cost of their care; (d) to modify the payment system for certain day programs and treatments provided to beneficiaries receiving behavioral health service; (e) to modify the current payment strategy for a multi-disciplinary treatment plan to ensure program integrity and accuracy; (f) to provide community mental health centers a consistent and predictable payment system that provides performance and financial incentives; (g) to establish through a competitive bidding process one or more networks of service providers, each headed by a lead agency, for the purposes of maximizing services and operational efficiencies and assuring beneficiaries' needs are met with the most appropriate services in the most appropriate setting; and (h) to obtain federal matching funds for certain state-only funded methadone maintenance and treatment costs, are outcomes worthy of support.

It is the lack of any detail, description, or list of proposed changes that should concern the Finance Committee. Article 21 does not meet the requirements of §42-12.4-7 Demonstration implementation – Restrictions, that "any change that requires the implementation of a rule or regulation or modification of a rule or regulation in existence prior to the demonstration shall require prior approval of the general assembly". To ensure all parties, the Assembly, the Administration, the beneficiaries, and providers all understand what the changes are and their impact on beneficiaries. These changes should be spelled out in the Budget Article.

GCD Actions: Legislation Committee Voted on 1/8/2010, Commission Voted on 2/8/2010, Letters sent to the House Committee on 2/8/2010, Senate Committee on 3/4/2010, Testified to House Committee on 2/8/2010, Senate Committee on 3/4/2010, Letter sent to the Governor on .

**Committee finds these 17 acts Beneficial**

**6 % Success rate:** Incorporated into the Educational Funding Formula 1; Recommitted 1; Postponed by sponsor 1; Held for Further Study, Continued, or Heard 12; Referred to Committee 3

**Incorporated into the Educational Funding Formula**

House Finance Committee Steven M. Costantino, Chairperson

**10 H 7068 AN ACT RELATING TO EDUCATION -- STATE REIMBURSEMENT** Rep. Carter & Reps. MacBeth, Serpa

This act would provide that cities and towns would receive a reimbursement from the state for costs to educate students receiving special education services. This act would also provide that for children in group homes and other state care, state funds paid to the cities or towns for the education of said children would follow the residence of said children. In the event a child moves to another city or town during the school year, the state funds would be prorated and distributed in proportion to the number of days during the year that the student is being educated by the city or town. This act would take effect upon passage.

History: Introduced on 1/12/2010, Last Action on 1/12/2010, House Voted on , Senate Voted on , 2nd House Vote on , 2nd Senate Vote on .

**Commission Legislative Impact Statement:**

The current state education foundation aid does not reflect the pupil enrollment in special education programs; rather it reflects the 1995 enrollment. Special education funding should follow the present day student enrollment to accurately fund today's expenditures.

GCD Actions: Legislation Committee Voted on 3/15/2010, Commission Voted on , Letters sent to the House Committee on 3/16/2010, Senate Committee on , Testified to House Committee on , Senate Committee on , Letter sent to the Governor on .

**Referred to Committee**

Senate Finance Committee Daniel DaPonte, Chairperson

**10 S 2122 AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - DEPARTMENT OF HUMAN SERVICES** Sen. Blais

This act would authorize the department of human services to utilize up to 10% of the sums appropriated for the purpose of administering the traumatic brain injury program. This act would take effect upon July 1, 2010.

History: Introduced on 2/4/2010, Last Action on 2/4/2010, House Voted on , Senate Voted on , 2nd House Vote on , 2nd Senate Vote on .

**Commission Legislative Impact Statement:**

Including the Department of Human Services' administrative and outreach support for the traumatic brain injury program will improve the program's ability to divert individuals with traumatic brain injury to appropriate in-state programs rather than more expensive out-of-state residential services.

GCD Actions: Legislation Committee Voted on 3/15/2010, Commission Voted on , Letters sent to the House Committee on , Senate Committee on 2/16/2010, Testified to House Committee on , Senate Committee on , Letter sent to the Governor on .

**10 S 2829 AN ACT RELATING TO EDUCATION -- FOUNDATION LEVEL SCHOOL SUPPORT** Sen. Metts & Sens. Maselli, Jabour, McCaffrey, Levesque

This act would prohibit school housing construction aid from being used in the costs of remediation and it would also prohibit siting schools on toxic waste sites. This act would take effect upon passage.

History: Introduced on 4/29/2010, Last Action on 4/29/2010, House Voted on , Senate Voted on , 2nd House Vote on , 2nd Senate Vote on .

**Commission Legislative Impact Statement:**

Schools and other facilities utilized by children should never be constructed in a site that is remotely hazardous to their health. The long term societal consequences will cost far more than short term savings.

GCD Actions: Legislation Committee Voted on 5/10/2010, Commission Voted on , Letters sent to the House Committee

### Held for Further Study, Continued, or Heard

House Corporations Committee Brian Patrick Kennedy, Chairperson

**10 H 7361 AN ACT RELATING TO INSURANCE -- INSURANCE COVERAGE FOR MENTAL ILLNESS AND SUBSTANCE ABUSE** Rep. Ajello & Reps. Ruggiero, Fierro, Ferri, Walsh

This act would require that reimbursement paid by a health care insurer for mental illness and substance abuse coverage be comparable to that paid for similar medical services. This act would take effect upon passage.

History: Introduced on 2/4/2010, Last Action on 3/23/2010, House Voted on , Senate Voted on , 2nd House Vote on , 2nd Senate Vote on .

**Commission Legislative Impact Statement:**

Mental health treatment parity is long overdue. Neuro-science has determined that many "mental disorders" have a physical causation. Long term health care insurance treatment, whether for physical therapy maintenance for a individual with paralysis or therapeutic counseling should both subject to the same medically necessary criteria for frequency and duration.

GCD Actions: Legislation Committee Voted on 2/22/2010, Commission Voted on , Letters sent to the House Committee on 3/16/2010, Senate Committee on , Testified to House Committee on , Senate Committee on , Letter sent to the Governor on .

**10 H 7701 AN ACT RELATING TO INSURANCE--HEARING AIDS** Rep. Handy

This act would increase the hearing aid medical insurance coverage for those insured under the age of nineteen (19) from one thousand five dollars (\$1,500) to full cost and for those age nineteen (19) and older from seven hundred dollars (\$700) to one thousand five hundred dollars (\$1,500). This act would take effect upon passage.

History: Introduced on 2/25/2010, Last Action on 3/24/2010, House Voted on , Senate Voted on , 2nd House Vote on , 2nd Senate Vote on .

**Commission Legislative Impact Statement:**

Hearing aids are the same as wheelchairs and other durable medical equipment, they allow an individual with a disability (in this case who is hard of hearing) to be a productive member of society.

GCD Actions: Legislation Committee Voted on 3/15/2010, Commission Voted on , Letters sent to the House Committee on 3/16/2010, Senate Committee on , Testified to House Committee on , Senate Committee on , Letter sent to the Governor on .

House Health, Education, & Welfare Committee Joseph McNamara, Chairperson

**10 H 7315 AN ACT RELATING TO HEALTH AND SAFETY**

Rep. Palumbo & Reps. Baldelli-Hunt, Schadone, Caprio D, Malik

This act would require nursing home administrators to report abuse of residents to the state police or the police department of the municipality where the abuse occurred. This act would take effect upon passage.

History: Introduced on 2/2/2010, Last Action on 3/10/2010, House Voted on , Senate Voted on , 2nd House Vote on , 2nd Senate Vote on .

**Commission Legislative Impact Statement:**

Abuse of residents in nursing homes is a criminal offense and as such need to promptly reported to the police.

GCD Actions: Legislation Committee Voted on 2/22/2010, Commission Voted on , Letters sent to the House Committee on 3/16/2010, Senate Committee on , Testified to House Committee on , Senate Committee on , Letter sent to the Governor on .

**10 H 7752 AN ACT RELATING TO EDUCATION - CAPTIONING OF ELECTRONIC VIDEO MATERIALS** Rep. Handy & Rep. Naughton

This act would require that all publishers or manufacturers of electronic video instructional materials offered for adoption or sale in the state intended to be used in the instructional programs of educational institutions would supply such materials with or closed captions. The failure of a publisher or manufacturer to comply with the requirement would subject the publisher or manufacturer to three times the cost of the purchaser to have captions placed on the materials. This act would take effect upon passage. History: Introduced on 2/25/2010, Last Action on 3/24/2010, House Voted on , Senate Voted on , 2nd House Vote on , 2nd Senate Vote on .

**Commission Legislative Impact Statement:**

Equal access is not just a ramp, it is video or webcasts with captions of spoken information for individuals who are deaf or hard of hearing and voice over of text for individuals who are blind or visually impaired. It is critical that all students have equal access to instructional material. Barriers to participating in class must be removed so every individual can be productive.

GCD Actions: Legislation Committee Voted on 3/15/2010, Commission Voted on , Letters sent to the House Committee on 3/16/2010, Senate Committee on , Testified to House Committee on , Senate Committee on , Letter sent to the Governor on .

**10 H 8074 AN ACT RELATING TO HUMAN SERVICES -- MEDICAL ASSISTANCE--PRESCRIPTION DRUGS** Rep. Rice M & Reps. Naughton, Ferri, Hearn, DaSilva

This act would require that the preferred drug list (PDL) maintained by the department of human services include injectable drugs as well as orally-administered drugs. This act would take effect upon passage.

History: Introduced on 5/4/2010, Last Action on 5/12/2010, House Voted on , Senate Voted on , 2nd House Vote on , 2nd Senate Vote on .

**Commission Legislative Impact Statement:**

Some of the most effective medications for cancer, Multiple Sclerosis, diabetes, etc. are injectable drugs. The Medicaid formulary should include these prescription drugs in their most effective delivery system.

GCD Actions: Legislation Committee Voted on 5/10/2010, Commission Voted on , Letters sent to the House Committee on 5/11/2010, Senate Committee on , Testified to House Committee on , Senate Committee on , Letter sent to the Governor on .

House Judiciary Committee David A. Caprio, Chairperson

**10 H 7085 AN ACT RELATING TO MOTOR AND OTHER VEHICLES--CHILD RESTRAINTS** Rep. Gablinske & Reps. Kilmartin, Gallison, DaSilva

This act would provide that an adult's failure to wear a safety belt while operating a motor vehicle or his or her failure to ensure that adult passengers are wearing safety belts would constitute a primary, rather than a secondary offense. This act would take effect upon passage.

History: Introduced on 1/12/2010, Last Action on 5/19/2010, House Voted on , Senate Voted on , 2nd House Vote on , 2nd Senate Vote on .

**Commission Legislative Impact Statement:**

According to Steven M. Pare, the former superintendent of the RI State Police and a member of Mothers Against Drunk Driving (MADD) board of directors, passing legislation that requires seat belts would encourage 10 percent more drivers to wear their seatbelts acquiring severe disabilities when involved in an accident.

GCD Actions: Legislation Committee Voted on 2/9/2010, Commission Voted on , Letters sent to the House Committee on 2/24/2010, Senate Committee on , Testified to House Committee on , Senate Committee on , Letter sent to the Governor on .

**10 H 7111 AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- MOTOR VEHICLE OFFENSES** Rep. Marcello & Reps. Gablinske, Kilmartin, DaSilva, Hearn

This act would require the use of an ignition interlock system and would be applicable to individuals convicted of various driving offenses involving drugs or alcohol. This act would take effect upon passage.

History: Introduced on 1/13/2010, Last Action on 4/15/2010, House Voted on , Senate Voted on , 2nd House Vote on , 2nd Senate Vote on . Identical to S 2065

**Commission Legislative Impact Statement:**

GCD Actions: Legislation Committee Voted on 2/22/2010, Commission Voted on , Letters sent to the House Committee on 3/3/2010, Senate Committee on , Testified to House Committee on , Senate Committee on , Letter sent to the Governor on .

**10 H 7786 AN ACT RELATING TO PUBLIC PROPERTY AND WORKS - ACCESSIBLE ELECTRONIC AND INFORMATION TECHNOLOGY** Rep. Handy & Rep. Naughton

This act would adopt the state section 508 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794d), and would require all Rhode Island departments and agencies to provide access to electronic and information technology to all individuals, regardless of whether or not they are disabled, unless it would impose an undue hardship on the department or agency. This act would take effect upon passage.

History: Introduced on 2/25/2010, Last Action on 3/24/2010, House Voted on , Senate Voted on , 2nd House Vote on , 2nd Senate Vote on .

**Commission Legislative Impact Statement:**

Equal access is not just a ramp; it is video or webcasts with captions of spoken information for individuals who are deaf or hard of hearing and voice over of text for individuals who are blind or visually impaired. It is critical that all students have equal access to instructional material. Barriers to participating in class must be removed so every individual can be productive.

GCD Actions: Legislation Committee Voted on 3/15/2010, Commission Voted on , Letters sent to the House Committee on 3/16/2010, Senate Committee on , Testified to House Committee on , Senate Committee on , Letter sent to the Governor on .

**Senate Health and Human Services Committee Rhoda E. Perry, Chairperson**

**10 S 2202 AN ACT RELATING TO INSURANCE--HEARING AIDS** Sen. Walaska & Sens. Bates, McBurney, McCaffrey, Lynch

This act would increase the hearing aid medical insurance coverage for those insured under the age of nineteen (19) from one thousand five dollars (\$1,500) to full cost and for those age nineteen (19) and older from seven hundred dollars (\$700) to one thousand five hundred dollars (\$1,500). This act would take effect upon passage.

History: Introduced on 2/9/2010, Last Action on 3/3/2010, House Voted on , Senate Voted on , 2nd House Vote on , 2nd Senate Vote on .

**Commission Legislative Impact Statement:**

Hearing aids are the same as wheelchairs and other durable medical equipment, they allow an individual with a disability (in this case who is hard of hearing) to be a productive member of society.

GCD Actions: Legislation Committee Voted on 3/16/2010, Commission Voted on , Letters sent to the House Committee on , Senate Committee on 3/16/2010, Testified to House Committee on , Senate Committee on , Letter sent to the Governor on .

**Senate Judiciary Committee Michael J. McCaffrey, Chairperson**

**10 S 2065 AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- MOTOR VEHICLE OFFENSES** Sen. Raptakis & Sens. Sosnowski, Maselli, DiPalma, Blais

This act would require the use of an ignition interlock system and would be applicable to individuals convicted of various driving offenses involving drugs or alcohol. This act would take effect upon passage.

History: Introduced on 1/13/2010, Last Action on 3/4/2010, House Voted on , Senate Voted on , 2nd House Vote on , 2nd Senate Vote on . Identical to H 7111

**Commission Legislative Impact Statement:**

GCD Actions: Legislation Committee Voted on 2/22/2010, Commission Voted on , Letters sent to the House Committee on , Senate Committee on 3/3/2010, Testified to House Committee on , Senate Committee on , Letter sent to the Governor on .

**10 S 2149 AN ACT RELATING TO PROPERTY -- RHODE ISLAND FAIR HOUSING PRACTICES ACT** Sen. Metts & Sens. Pichardo, Jabour, Perry, Crowley

This act would prohibit discrimination in housing against those persons who are recipients of government assistance, i.e. being the recipient of federal, state or local public assistance, including medical assistance, or the recipient of federal, state or local housing subsidies, including section 8, and other rental assistance or rental supplements, or who is subject to the requirements of any public assistance, rental assistance or housing subsidy program. This act would take effect upon passage.

History: Introduced on 2/4/2010, Last Action on 3/2/2010, House Voted on , Senate Voted on , 2nd House Vote on , 2nd Senate Vote on .

**Commission Legislative Impact Statement:**

Many individuals with disabilities receive Social Security Disability Benefits or other government benefits and should receipt of assistance should not be grounds for refusal to rent. As long as the person can afford the rent, the source of the funds should be irrelevant.

GCD Actions: Legislation Committee Voted on 2/22/2010, Commission Voted on , Letters sent to the House Committee on , Senate Committee on 3/1/2010, Testified to House Committee on , Senate Committee on , Letter sent to the Governor on .

**10 S 2707 AN ACT RELATING TO ELECTIONS - MAIL BALLOTS** Sen. Lynch

This act would make several revisions to the mail balloting election statutes including a permanent absentee voting option, removal of witness/notary requirements and shortening of certain deadlines. This act would take effect upon passage.

History: Introduced on 3/18/2010, Last Action on 5/4/2010, House Voted on , Senate Voted on , 2nd House Vote on , 2nd Senate Vote on . Similar to H 7953

**Commission Legislative Impact Statement:**

The act makes it easier for people with disabilities and the general public to vote by mail in ballot by establishing a permanent mail ballot option, removing the witness/notary requirements that often create barriers to voting.

GCD Actions: Legislation Committee Voted on 4/12/2010, Commission Voted on , Letters sent to the House Committee on , Senate Committee on 4/20/2010, Testified to House Committee on , Senate Committee on , Letter sent to the Governor on .

**Postponed by sponsor**

**House Health, Education, & Welfare Committee Joseph McNamara, Chairperson**

**10 H 7921 AN ACT RELATING TO HEALTH AND SAFETY - PRICE DIFFERENTIALS** Rep. Trillo & Reps. Lima, DeSimone, Palumbo, Carnevale

This act would prevent health care providers and pharmacies from charging uninsured patients or customers a higher rate than

that charged to insured patients or customers. This act would take effect upon passage.

History: Introduced on 3/17/2010, Last Action on 4/14/2010, House Voted on , Senate Voted on , 2nd House Vote on , 2nd Senate Vote on .

**Commission Legislative Impact Statement:**

Individuals and families who can not afford health care insurance should not be forced to pay higher rates for vital health care services. Putting off needed health care services, prescriptions, tests due to cost, end up costing society more, when the individual finally seeks health care in the most expensive manner at any emergency room.

GCD Actions: Legislation Committee Voted on 4/12/2010, Commission Voted on , Letters sent to the House Committee on 4/20/2010, Senate Committee on , Testified to House Committee on , Senate Committee on , Letter sent to the Governor on .

## Recommitted

House Judiciary Committee David A. Caprio, Chairperson

**10 S 2062 Sub A AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- SUSPENSION OR REVOCATION OF LICENSES** Sen. Raptakis & Sens. Sosnowski, Maselli, DiPalma, Blais

This act would make it a felony punishable by imprisonment for not more than 3 years and by a fine of not more than \$3,000 for any person to drive or otherwise operate any vehicle in the state while under the influence of any intoxicating liquor, drugs, toluene, or any controlled substance, or any combination of these, when his or her license to operate is suspended, revoked or cancelled for operating under the influence of a narcotic drug or intoxicating liquor. This act would also require the sentencing court to require alcohol and/or drug treatment for the individual. This act would also require alcohol and/or drug treatment for an individual not intoxicated by operating on a suspended license, where the suspension is due to a previous conviction for driving under the influence or a chemical test refusal. This act would take effect upon passage.

The Substitute establishes criteria regarding the sentencing of individuals who have "served the court ordered period of suspension, but who, for any reason, has not had their license reinstated after the period of suspension, revocation, or suspension has expired".

History: Introduced on 1/13/2010, Last Action on 6/11/2010, House Voted on , Senate Voted on 5/27/2010, 2nd House Vote on , 2nd Senate Vote on . Identical to H 7118

**Commission Legislative Impact Statement:**

According to Alcohol Alert, in 2008 alone there were 29 fatalities in Rhode Island due to drinking and driving, making up 45% of all traffic incidents in the state. To prevent more people acquiring disabilities stricter enforcement of driving under the influence is needed deter some from people from getting behind the wheel while intoxicated.

GCD Actions: Legislation Committee Voted on 2/9/2010, Commission Voted on , Letters sent to the House Committee on , Senate Committee on 2/24/2010, Testified to House Committee on , Senate Committee on , Letter sent to the Governor on .

## Committee finds these 12 acts Beneficial if amended

**58% Success rate:** Signed by Governor 2\*, Transmitted to Governor 2\*, Recommitted 1, Held for Further Study, Continued, or Heard 6\*\*, Referred to Committee 1

\* The Commission's proposed amendments would have increased the benefit in preventing disabilities; even without those amendments these acts are beneficial.

\*\* Without the Commission's proposed amendments 3 of these acts would not be beneficial and could have been harmful.

Signed by Governor

Public Law 2010

Effective Date: 6/9/2010

### Chapter 022

**10 H 7036 Sub A as Amended AN ACT RELATING TO EDUCATION** Rep. Gallison & Reps. McNamara, Rice A, Martin, Azzinaro

This act would require school districts to work with the Rhode Island interscholastic league to develop guidelines for education coaches and players in youth sports about the risks associated with concussions. This act would also limit the liability of school districts and others for such injuries, provided certain insurance coverage is provided. This act would take effect upon passage.

The Substitute adds to the findings "Concussions can occur in any sport or recreational activity. All coaches, parents, and athletes shall be advised of the signs and symptoms of concussions as well as the protocol for treatment." It also adds a definition of "youth sports programs" to mean "any program organized for recreational and/or athletic competition purposes by any school district or by any school participating in Rhode Island Interscholastic League Competition, and whose participants are 19 years of age or younger." The development of regulations shifts from the school districts and the Rhode Island Interscholastic League, to the state departments of education and the department of health. School districts would be required to use training materials made available by the United States Center for Disease Control and Prevention entitled "Heads Up: Concussion in the High School Sports/Concussion in Youth Sports". The limitation of liability for concussion injuries sections has been replaced by a provision that does not "abrogate, limit or create any cause of action or limitation of liability already so provided by the general or public laws of this state".

The Floor Amendment deletes the limitation of liability for concussion injuries section.

History: Introduced on 1/7/2010, Last Action on 6/9/2010, House Voted on 5/18/2010, Senate Voted on 6/1/2010, 2nd House Vote on , 2nd Senate Vote on . Identical to S 2034

**Commission Legislative Impact Statement:**

The legislation should be amended to require training of private non-profit sports coaches, players in youth sports and their parents as well school district coaches, etc. On page 2, line 27 strike the word "and" insert between lines 27 and 28 the following "(3) The private nonprofit youth group provides proof implement guidelines and other pertinent information and forms to inform and educate coaches, youth athletes, and their parents and/or guardians of the nature and risk of concussion and head injury including continuing to play after concussion or head injury; and" On line 28 strike "(3)" and insert therein "(4)"The need for concussion prevention within school sports, as recently illustrated by Dylan Meadow, a young Rhode Island soccer player who is now suffering from seizures and headaches due to a concussion he received while playing youth soccer.

GCD Actions: Legislation Committee Voted on 2/9/2010, Commission Voted on , Letters sent to the House Committee on 2/24/2010, Senate Committee on , Testified to House Committee on , Senate Committee on , Letter sent to the Governor on .

### Chapter 021

**10 S 2034 Sub A as Amended AN ACT RELATING TO EDUCATION** Sen. Felag & Sens. Levesque C, Bates, Sosnowski

This act would require school districts to work with the Rhode Island interscholastic league to develop guidelines for educating coaches and players in youth sports about the risks associated with concussions. This act would also limit the liability of school districts and others for such injuries, provided certain insurance coverage is provided. This act would take effect upon passage.

The Substitute adds to the findings "Concussions can occur in any sport or recreational activity. All coaches, parents, and athletes shall be advised of the signs and symptoms of concussions as well as the protocol for treatment." It also adds a definition of "youth sports programs" to mean "any program organized for recreational and/or athletic competition purposes by any school district or by any school participating in Rhode Island Interscholastic League Competition, and whose participants are 19 years of age or younger." The development of regulations shifts from the school districts and the

Rhode Island Interscholastic League, to the state departments of education and the department of health. School districts would be required to use training materials made available by the United States Center for Disease Control and Prevention entitled "Heads Up: Concussion in the High School Sports/Concussion in Youth Sports". The limitation of liability for concussion injuries sections has been replaced by a provision that does not "abrogate, limit or create any cause of action or limitation of liability already so provided by the general or public laws of this state".

The Floor Amendment deletes the limitation of liability for concussion injuries section.

History: Introduced on 1/13/2010, Last Action on 6/9/2010, House Voted on 5/27/2010, Senate Voted on 5/18/2010, 2nd House Vote on , 2nd Senate Vote on . Identical to H 7036

**Commission Legislative Impact Statement:**

The legislation should be amended to require training of private non-profit sports coaches, players in youth sports and their parents as well school district coaches, etc. On page 2, line 27 strike the word "and" insert between lines 27 and 28 the following "(3) The private nonprofit youth group provides proof implement guidelines and other pertinent information and forms to inform and educate coaches, youth athletes, and their parents and/or guardians of the nature and risk of concussion and head injury including continuing to play after concussion or head injury; and" On line 28 strike "(3)" and insert therein "(4)"The need for concussion prevention within school sports, as recently illustrated by Dylan Meadow, a young Rhode Island soccer player who is now suffering from seizures and headaches due to a concussion he received while playing youth soccer.

GCD Actions: Legislation Committee Voted on 2/9/2010, Commission Voted on , Letters sent to the House Committee on , Senate Committee on 2/24/2010, Testified to House Committee on , Senate Committee on , Letter sent to the Governor on .

**Transmitted to Governor**

Governor's Office Donald L. Carcieri, Governor

Effective Date: 6/25/2010

**10 S 2773 AN ACT RELATING TO ALCOHOLIC BEVERAGES - RETAIL LICENSES** Sen. Doyle

This act would require that employees required to complete the Alcohol Server training regulations testing procedures must do so prior to employment in the city of Pawtucket. This act would take effect upon passage.

History: Introduced on 4/13/2010, Last Action on 6/17/2010, House Voted on 6/9/2010, Senate Voted on 6/1/2010, 2nd House Vote on , 2nd Senate Vote on . Identical to H 7352 Sub A as Amended

**Commission Legislative Impact Statement:**

All alcohol servers should complete the certified training prior to employment, not just those employed in the City of Pawtucket.

GCD Actions: Legislation Committee Voted on 2/22/2010, Commission Voted on , Letters sent to the House Committee on , Senate Committee on , Testified to House Committee on , Senate Committee on , Letter sent to the Governor on .

**10 H 7352 Sub A as Amended AN ACT RELATING TO ALCOHOLIC BEVERAGES - RETAIL LICENSES** Rep. Kilmartin & Reps. DaSilva, Coderre E, Messier, Shallcross Smith

This act would require that employees required to complete the Alcohol Server training regulations testing procedures must do so prior to employment in the city of Pawtucket. Current law requires employees to complete certified training within 60 days of the commencement of his or her employment and must attain a minimum score of 75%. This act would take effect upon passage.

The Substitute would provide that any state municipality, not just Pawtucket, may require persons hired to serve alcohol in any establishment in said municipality to complete the Alcohol Server Training Program administered through the regulations promulgated by the department of business regulation prior to their employment.

The Floor Amendment limits the provision to just the city of Pawtucket.

History: Introduced on 2/3/2010, Last Action on 6/17/2010, House Voted on 6/4/2010, Senate Voted on 6/9/2010, 2nd House Vote on , 2nd Senate Vote on . Similar to S 2773

**Commission Legislative Impact Statement:**

All alcohol servers should complete the certified training prior to employment, not just those employed in the City of Pawtucket.

GCD Actions: Legislation Committee Voted on 2/22/2010, Commission Voted on , Letters sent to the House Committee on 3/16/2010, Senate Committee on , Testified to House Committee on , Senate Committee on , Letter sent to the Governor on .

**Referred to Committee**

Senate Finance Committee Daniel DaPonte, Chairperson

**10 S 2121 AN ACT RELATING TO EDUCATION - SCHOOL AND MUNICIPAL PLAYGROUND SAFETY** Sen. Blais

This act would provide grants to cities and towns for projects undertaken specifically to comply with the department of education and department of health's joint health and environment recreational facility safety regulations and/or to provide access for people with disabilities. This act would take effect upon passage.

History: Introduced on 2/4/2010, Last Action on 2/4/2010, House Voted on , Senate Voted on , 2nd House Vote on , 2nd Senate Vote on .

**Commission Legislative Impact Statement:**

Current school housing aid does not reimburse school districts for playground safety expenses. As of Spring 2000, the most recent figures available, 49% of the elementary school playgrounds did not meet the state safety standards for recreational facilities. Smaller children could become disabled if safety hazards are not removed from school and municipal playgrounds. The bill should be amended on page 1 line 14 by retaining the words "four percent (4%)" and eliminating the proposed wording "ten percent (10%)".

GCD Actions: Legislation Committee Voted on 2/22/2010, Commission Voted on , Letters sent to the House Committee on , Senate Committee on 3/16/2010, Testified to House Committee on , Senate Committee on , Letter sent to the Governor on .

**Held for Further Study, Continued, or Heard**

House Finance Committee Steven M. Costantino, Chairperson

**10 S 2780 As Amended AN ACT RELATING TO MENTAL HEALTH, RETARDATION AND HOSPITALS -- DEVELOPMENTALLY DISABLED ADULTS** Sen. Goodwin

This act would offer private operators of state-owned group homes the right of first refusal should the state to decide to sell the facility. This act would take effect upon passage.

The Floor Amendment would require that any private provider who shall acquire any said group home hereunder shall enter into an agreement with the department that provides that the acquired group home shall continue to be operated for the benefit of people with developmental disabilities, the elderly, veterans, or to be operated for the benefit of people with developmental disabilities, the elderly, veterans, or as transition units to assist in the increase in independent living in accordance with the Medicaid Global Waiver Compact pursuant to chapter 42-12.4, or upon the sale or disposition thereof, proceeds of any sale shall be utilized for the benefit of developmentally disabled adults. The act as amended would take effect August 1, 2010.

History: Introduced on 4/13/2010, Last Action on 6/8/2010, House Voted on , Senate Voted on 6/2/2010, 2nd House Vote on , 2<sup>nd</sup> Senate Vote on .

**Commission Legislative Impact Statement:**

The current provider of services at a facility that is being sold, should be allowed to submit the first bid. For any resident of a group home, that is her/his home. Being forced to move out of her/his home can be very disruptive. Allowing the current provider of service to purchase the facility would ensure continuity of service for the residents.

The act should be amended on:

page 1 line 13 by inserting after the word "veterans" the words ", adults with disabilities," and  
page 2 line 27 by inserting after the word "living" and before the comma ",," the words "for adults with disabilities".

GCD Actions: Legislation Committee Voted on 5/10/2010, Commission Voted on , Letters sent to the House Committee on , Senate Committee on 5/11/2010, Testified to House Committee on , Senate Committee on , Letter sent to the Governor on .

**10 H 7451 AN ACT RELATING TO HUMAN SERVICES - INTERPRETER SERVICES** Rep. Coderre & Reps. Kilmartin, Naughton

This act would set forth various standards for the department of human services to properly ensure that persons who are not proficient in English are informed that there are interpreter services available in various languages. This act would take effect upon passage.

History: Introduced on 2/11/2010, Last Action on 5/11/2010, House Voted on , Senate Voted on , 2nd House Vote on , 2nd Senate Vote on .

**Commission Legislative Impact Statement:**

Effective communications is important, all Rhode Island residents need to be fully aware of human services and give informed consent when utilizing state services. The bill should be strengthened to cover all the health and human services, not just those provided by the Department of Human Services. The bill should also clarify its coverage of to individuals who use sign language. There are vastly more than 100 users of sign language living in Rhode Island.

The bill should be amended on

page 1 line 7 by deleting "or" and inserting therein ",,"  
line 8 by inserting after the word "Portuguese" the words "and sign language" and  
line 14 after "Portuguese" the words "sign language,".

GCD Actions: Legislation Committee Voted on 4/12/2010, Commission Voted on , Letters sent to the House Committee on 4/20/2010, Senate Committee on , Testified to House Committee on , Senate Committee on , Letter sent to the Governor on .

House Health, Education, & Welfare Committee Joseph McNamara, Chairperson

**10 H 7512 AN ACT RELATING TO HEALTH AND SAFETY** Rep. Shallcross Smith & Reps Almeida, Walsh Ferri, Martin

This act would require the director of health to promulgate regulations permitting the administration of needle/injections, prescriptions and nonprescription medications by certified nursing assistants, home health care aides and medical technicians to individuals who are homebound or home care services within the state of Rhode Island. This act would take effect upon passage.

History: Introduced on 2/23/2010, Last Action on 4/7/2010, House Voted on , Senate Voted on , 2nd House Vote on , 2nd Senate Vote on .

**Commission Legislative Impact Statement:**

Authorizing certified nursing assistants, home health care aides and medical technicians to assist an individual take prescriptions and nonprescription medications will allow more individuals with severe impairments / illnesses live in the community. The administration of medicine by needles/injections is quite different and dangerous, and needs to be removed from the bill. The CNA, home health care aides and medical technicians are not equipped to recognize and respond quickly to any complications that could arise.

GCD Actions: Legislation Committee Voted on 4/12/2010, Commission Voted on , Letters sent to the House Committee on 4/20/2010, Senate Committee on , Testified to House Committee on , Senate Committee on , Letter sent to the Governor on .

**10 H 7949 AN ACT RELATING TO HEALTH AND SAFETY – SCHOOLS** Rep. Palumbo & Reps. McNamara, Malik, Jackson, Slater

This act would address the use of cleaning products in schools which are environmentally better and better for the health of the children and adults in schools. This act would require that beginning in July 1, 2010, schools would procure only environmentally preferable cleaning products but could continue to use cleaning products bought prior to July 1, 2010 until the products are depleted over the course of a two (2) year period. For violations fines of \$500 - \$2,500 would be imposed, also information would be disseminated from the department of elementary and secondary education and department of health in cooperation with the department of environmental management. This act would take effect upon passage.

History: Introduced on 3/25/2010, Last Action on 4/7/2010, House Voted on , Senate Voted on , 2nd House Vote on , 2nd Senate Vote on .

**Commission Legislative Impact Statement:**

The act spells out a comprehensive approach for the use of environmentally safe cleaning and paper products that protects students with asthma, chronic obstructed pulmonary disease and other environmental illnesses. An amendment should revise page 4 line 3 by deleting the word "may" and inserting there in "shall". The sentence would read: "(5) An individual in a regulated building who experiences adverse health effects from allergic or hypersensitivity reactions due to exposure to a cleaning product shall request that the facility utilize an alternative product."

GCD Actions: Legislation Committee Voted on 4/12/2010, Commission Voted on , Letters sent to the House Committee on 4/20/2010, Senate Committee on , Testified to House Committee on , Senate Committee on , Letter sent to the Governor on .

House Judiciary Committee David A. Caprio, Chairperson

**10 H 7279 AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- PARKING FACILITIES AND PRIVILEGES** Rep. Baldelli-Hunt

This act would require that when a handicapped tag is issued that it contain a photograph of the person to whom it was issued. This act would take effect upon passage.

History: Introduced on 1/28/2010, Last Action on 5/13/2010, House Voted on , Senate Voted on , 2nd House Vote on , 2nd Senate Vote on .

**Commission Legislative Impact Statement:**

Several states disability parking placard contain a photograph of the person the placard is issued to. In most cases the placard has a sleeve that can be used to cover the photograph when in use to reduce the potential of the user being targeted as an "easy victim" for an assault, or the photograph is on the wallet size certificate.

This act should be amended on page 1 line 9 and line 14 by striking the inserted words "and a photograph of the person to whom it is issued" and on page 2 line 28 after the word "material" inserting the words "and shall bear a photograph of the person to whom it is issued. Every certificate holder shall have his or her certificate in his or her immediate possession at all times when using the disability parking placard and shall display the certificate upon the demand of any peace officer or inspector of the division of motor vehicles".

GCD Actions: Legislation Committee Voted on 3/15/2010, Commission Voted on , Letters sent to the House Committee on 3/16/2010, Senate Committee on , Testified to House Committee on , Senate Committee on , Letter sent to the Governor on .

**10 H 7953 AN ACT RELATING TO ELECTIONS -- MAIL BALLOTS** Rep. San Bento By Request

This act would make significant changes to voters' eligibility to vote by mail ballots. It would change the process for application for mail ballots, the requirements for their execution and in the emergency mail ballot process. This act would take effect upon passage.

History: Introduced on 3/25/2010, Last Action on 4/15/2010, House Voted on , Senate Voted on , 2nd House Vote on , 2nd Senate Vote on . Similar to S 2707

**Commission Legislative Impact Statement:**

The act makes it easier for people with disabilities and the general public to vote by mail in ballot by establishing a permanent mail ballot option, removing the witness/notary requirements, that often create barriers to voting. The act should be amended to incorporate the more comprehensive approach utilized in 10 S 2707 AN ACT RELATING TO ELECTIONS - MAIL BALLOTS.

GCD Actions: Legislation Committee Voted on 4/12/2010, Commission Voted on , Letters sent to the House Committee on 4/20/2010, Senate Committee on , Testified to House Committee on , Senate Committee on , Letter sent to the Governor on .

## Recommitted

Senate Constitutional and Regulatory Issues Committee Maryellen Goodwin, Chairperson

**10 S 2102 AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE - RHODE ISLAND VETERANS' HOME** Sen. Felag & Sens. Levesque C, Bates, McBurney, Sosnowski

This act would create a 7 member permanent legislative oversight commission to oversee all aspects of the Rhode Island Veterans' Home. The commission would periodically report findings and recommendations to the general assembly. This act would take effect upon passage.

History: Introduced on 2/4/2010, Last Action on 3/10/2010, House Voted on , Senate Voted on , 2nd House Vote on , 2nd Senate Vote on .

### Commission Legislative Impact Statement:

The bill should be amended to expand the Commission to include knowledgeable long term care professionals, community members, residents of the home and their family members.

GCD Actions: Legislation Committee Voted on 3/15/2010, Commission Voted on , Letters sent to the House Committee on , Senate Committee on 3/16/2010, Testified to House Committee on , Senate Committee on , Letter sent to the Governor on .

## Committee finds these 8 acts Harmful

**100% Success rate:** Held for Further Study, Continued, or Heard 3; Referred to Committee 5

## Referred to Committee

House Finance Committee Steven M. Costantino, Chairperson

**10 H 7897 AN ACT RELATING TO EDUCATION** Rep. Carter & Rep. MacBeth

This act would require that educational mandates be fully funded or else unenforceable, and would also allow the board of regents for elementary and secondary education to grant variances to title 16 Education. Variance would not be authorized in regards to: reporting of suspected substance abuse; health screenings; special education regulations; discrimination because of race, age or sex; immunizations, and several other areas. This act would take effect upon passage.

History: Introduced on 3/11/2010, Last Action on 3/11/2010, House Voted on , Senate Voted on , 2nd House Vote on , 2nd Senate Vote on .

### Commission Legislative Impact Statement:

Rhode Island has not had an education funding system since 1995. As a result no state education aid is earmarked for specific purposes, including special education. It is not possible to determine whether or not a state mandate is or is not fully and adequately funded. While the bill does prohibit the waiving of "Section 16-24-2 (regulations of state board)", it does not address the other state laws regarding the education of students with disabilities: The Rhode Island Autism Spectrum Disorder Education Act, 16-24.1-1 through 16-24.1-4; Education of Children Who are Deaf or Blind, 16-25-1 through 16-25-7; Braille Instruction for Blind Students, 16-25.1-1 through 16-25.1-4; Instruction for Deaf or Hard of Hearing Students, 16-25.2-1 through 16-25.2-4; School Speech and Language Pathologists, 16-25.3-1 through 16-25.3-4; American Sign Language, 16-25.4-1 through 16-25.4-6; School for the Deaf, 16-26-1 through 16-26-11; and Rhode Island Vision Education and Services Program, 16-26.1-1 through 16-26.1-5.

GCD Actions: Legislation Committee Voted on 4/12/2010, Commission Voted on , Letters sent to the House Committee on 4/20/2010, Senate Committee on , Testified to House Committee on , Senate Committee on , Letter sent to the Governor on .

House Judiciary Committee David A. Caprio, Chairperson

**10 H 7950 AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF HUMAN SERVICES** Rep. Shallcross Smith

This act would require any facility or business which teaches, gives lessons, classes or training to children and youth to have employees submit to a background check through the state or local police department prior to them being hired. This act would take effect upon passage.

History: Introduced on 3/25/2010, Last Action on 3/25/2010, House Voted on , Senate Voted on , 2nd House Vote on , 2nd Senate Vote on .

### Commission Legislative Impact Statement:

Prohibiting businesses and agencies from hiring an individual for life based on convictions relating to drugs, larceny, banking and other offenses creates an insurmountable barrier to successful rehabilitation. The bill does not allow an employer from using her/his judgment to consider the length of time since the conviction and other more relevant current information concerning the job applicant.

GCD Actions: Legislation Committee Voted on 4/12/2010, Commission Voted on , Letters sent to the House Committee on 4/20/2010, Senate Committee on , Testified to House Committee on , Senate Committee on , Letter sent to the Governor on .

Senate Finance Committee Daniel DaPonte, Chairperson

**10 S 2113 AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- MOTOR FUEL TAX** Sen. Felag & Sens. Sosnowski, Levesque

This act would reduce the tax per gallon on all taxable gallons of gasoline sold or used in this state from thirty-two cents (\$0.32) per gallon to twenty-eight cents (\$0.28) per gallon. Most of the current \$0.32 / gallon is used to fund RIPTA and Ride transportation services for elders and people with disabilities. This act would take effect upon passage.

History: Introduced on 2/4/2010, Last Action on 2/4/2010, House Voted on , Senate Voted on , 2nd House Vote on , 2nd Senate Vote on .

### Commission Legislative Impact Statement:

Both the public transit and paratransit services are dependent upon the gasoline tax to operate. Reductions in the gas tax will require curtailing transit services taking seniors and people with disabilities to meal sites, senior centers, job interviews, shopping, etc.

GCD Actions: Legislation Committee Voted on 2/22/2010, Commission Voted on , Letters sent to the House Committee on , Senate Committee on 3/1/2010, Testified to House Committee on , Senate Committee on , Letter sent to the Governor on .

Senate Health and Human Services Committee Rhoda E. Perry, Chairperson

**10 S 2747 AN ACT RELATING TO INSURANCE -- HEALTH CARE--FREEDOM OF CHOICE** Sen. Blais

This act would create the "Freedom of Choice in Health Care Act" for the purpose of preventing the state from requiring participation in any particular health care plan. This act would take effect upon passage.

History: Introduced on 3/25/2010, Last Action on 3/25/2010, House Voted on , Senate Voted on , 2nd House Vote on , 2nd Senate Vote on .

Scares state resources should not be diverted from providing health care to sue the federal government over health care policy.

### Commission Legislative Impact Statement:

GCD Actions: Legislation Committee Voted on 4/12/2010, Commission Voted on , Letters sent to the House Committee on , Senate Committee on 4/20/2010, Testified to House Committee on , Senate Committee on , Letter sent to the Governor on .

Senate Housing and Municipal Government Committee John J. Tassoni, Chairperson

This act would include naturally occurring rental units which fall within the low and moderate income housing levels in the definition of low and moderate income housing. It would also include units which utilize the H.U.D. section 8 program. This act would take effect upon passage.

**10 S 2292 AN ACT RELATING TO TOWNS AND CITIES -- LOW AND MODERATE INCOME HOUSING** Sen. Sheehan By Request

History: Introduced on 2/11/2010, Last Action on 2/11/2010, House Voted on , Senate Voted on , 2nd House Vote on , 2nd Senate Vote on .

### Commission Legislative Impact Statement:

The "Low and moderate Income Housing law was designed to increase affordable housing units, not just reclassify existing housing as low and moderate income housing. If anything the current recession has dramatically increased the need for affordable housing.  
GCD Actions: Legislation Committee Voted on 4/12/2010, Commission Voted on , Letters sent to the House Committee on , Senate Committee on 4/20/2010, Testified to House Committee on , Senate Committee on , Letter sent to the Governor on .

### Held for Further Study, Continued, or Heard

House Health, Education, & Welfare Committee Joseph McNamara, Chairperson

#### 10 H 7931 AN ACT RELATING TO EDUCATION – HEALTH AND SAFETY OF PUPILS Rep. Silva & Rep. Edwards

This act would require the use of environmentally preferable cleaning supplies in all elementary and secondary schools. This act would take effect upon passage.

History: Introduced on 3/23/2010, Last Action on 5/11/2010, House Voted on , Senate Voted on , 2nd House Vote on , 2nd Senate Vote on .

##### Commission Legislative Impact Statement:

The act permits the use of cleaning and paper products outside the scope of the acts guidelines and products excluded from the environmental standards, placing children with asthma, chronic obstructed pulmonary disease and other environmental illnesses at risk. A more comprehensive approach is used in 10 H 7949 AN ACT RELATING TO HEALTH AND SAFETY – SCHOOLS.

GCD Actions: Legislation Committee Voted on 4/12/2010, Commission Voted on , Letters sent to the House Committee on 4/20/2010, Senate Committee on , Testified to House Committee on , Senate Committee on , Letter sent to the Governor on .

House Judiciary Committee David A. Caprio, Chairperson

#### 10 H 7388 AN ACT RELATING TO ELECTIONS - VOTER IDENTIFICATION Rep. Brien & Reps. MacBeth, Corvese, Gablinske, Newberry

This act would require each person desiring to vote to provide proof of identification:

(1) A valid and current document showing a photograph of the person to whom the document was issued, including without limitation: (i) Rhode Island driver's license; (ii) Rhode Island voter identification card; (iii) United States passport; (iv) identification card issued by a United States educational institution; (v) United States military identification card; (vi) identification card issued by the United States or the State of Rhode Island or any subdivision of the state of Rhode Island; (vii) debit or credit card.

(2) A valid and current document without a photograph of the person to whom the document was issued, including without limitation: (i) birth certificate; (ii) social security card; (iii) Medicare card.

From and after January 1, 2012, any person claiming to be a registered and eligible voter who desires to vote at a primary election, special election or general election shall provide proof of identity listed in subdivision (1) above.

History: Introduced on 2/4/2010, Last Action on 3/23/2010, House Voted on , Senate Voted on , 2nd House Vote on , 2nd Senate Vote on . Identical to S 2141

##### Commission Legislative Impact Statement:

The state charges a fee for individuals with disabilities, who are unable to drive to acquire a photo ID. In the proposed FY 2011 Budget Bill that fee would increase from \$15 every 5 years to \$25, a poll tax.

GCD Actions: Legislation Committee Voted on 2/9/2010, Commission Voted on , Letters sent to the House Committee on 2/24/2010, Senate Committee on , Testified to House Committee on , Senate Committee on , Letter sent to the Governor on .

Senate Judiciary Committee Michael J. McCaffrey, Chairperson

#### 10 S 2141 AN ACT RELATING TO ELECTIONS Sen. Blais & Sen. Maselli

This act would require each person desiring to vote to provide proof of identification:

(1) A valid and current document showing a photograph of the person to whom the document was issued, including without limitation: (i) Rhode Island driver's license; (ii) Rhode Island voter identification card; (iii) United States passport; (iv) identification card issued by a United States educational institution; (v) United States military identification card; (vi) identification card issued by the United States or the State of Rhode Island or any subdivision of the state of Rhode Island; (vii) debit or credit card.

(2) A valid and current document without a photograph of the person to whom the document was issued, including without limitation: (i) birth certificate; (ii) social security card; (iii) Medicare card.

From and after January 1, 2012, any person claiming to be a registered and eligible voter who desires to vote at a primary election, special election or general election shall provide proof of identity listed in subdivision (1) above.

History: Introduced on 2/4/2010, Last Action on 3/25/2010, House Voted on , Senate Voted on , 2nd House Vote on , 2nd Senate Vote on . Identical to H 7388

##### Commission Legislative Impact Statement:

The state charges a fee for individuals with disabilities, who are unable to drive to acquire a photo ID. In the proposed FY 2011 Budget Bill that fee would increase from \$15 every 5 years to \$25, a poll tax.

GCD Actions: Legislation Committee Voted on 2/9/2010, Commission Voted on , Letters sent to the House Committee on , Senate Committee on 2/24/2010, Testified to House Committee on , Senate Committee on , Letter sent to the Governor on .

## Committee finds these 2 acts Harmful unless amended

100% Success rate: Held for Further Study, Continued, or Heard 2

### Held for Further Study, Continued, or Heard

House Finance Committee Steven M. Costantino, Chairperson

#### 10 H 7408 AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - OFFICE OF HEALTH AND HUMAN SERVICES Rep. Costantino & Reps. Naughton, Carter, Giannini, Mattiello

This act would consolidate the 5 health and human services departments into one executive department to be known as the "Department of Health and Human Services." The five consolidated departments would be as follows: (1) the department of children, youth and families; (2) the department of health; (3) the department of elderly affairs; (4) the department of human services; and (5) the department of mental health, retardation and hospitals. The new department would consist of five (5) divisions: (1) children and families; (2) behavioral health; (3) developmental disabilities; (4) public health; and (5) elderly and long-term care. The new department would also be lead by a single director, with each division having its own division chief. Each of these persons would be selected by the governor with the advice and consent of the Senate. This act would take effect February 1, 2011.

History: Introduced on 2/9/2010, Last Action on 5/24/2010, House Voted on , Senate Voted on , 2nd House Vote on , 2nd Senate Vote on .

##### Commission Legislative Impact Statement:

A sweeping reorganization of human services requires detailed planning prior to implementation. The bill should be amended to direct the Executive Office of Health and Human Services to prepare a comprehensive reorganization plan, with the assistance of service providers and advocates for submission to the next Governor and General Assembly.

The current bill as drafted does not address where the Office of Rehabilitation Services and its component parts - Services for the Blind and Visually Impaired, Vocational Rehabilitation and Disability Determination will be housed.

GCD Actions: Legislation Committee Voted on 2/22/2010, Commission Voted on , Letters sent to the House Committee on 3/1/2010, Senate Committee on , Testified to House Committee on 5/24/2010, Senate Committee on , Letter sent to the Governor on .

**10 S 2396 AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- TERMINATION OF SERVICE** Sen. Metts & Sens. Jabour, Pichardo, Perry, Crowley

This act would amend the process of the termination of service to the elderly, disabled and seriously ill by simplifying the regulations and rules and institute rules for a person in arrears of payment and amend the chapter name. This act would take effect upon passage.

History: Introduced on 2/11/2010, Last Action on 3/23/2010, House Voted on , Senate Voted on , 2nd House Vote on , 2nd Senate Vote on .

**Commission Legislative Impact Statement:**

GCD Actions: Legislation Committee Voted on 4/12/2010, Commission Voted on , Letters sent to the House Committee on , Senate Committee on , Testified to House Committee on , Senate Committee on , Letter sent to the Governor on .



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**MOTION:** To urge the Commission to request the General Assembly override the Governor's Veto H7044 / 2055 ACTS RELATING TO STATE AFFAIRS AND GOVERNMENT-STATE POLICE, and sustain the Governor's Vetoes of 10 S 2425/ H 7331 As Amended Sub A AN ACT RELATING TO HEALTH AND SAFETY -- LICENSING OF HEALTH CARE FACILITIES. BI/EG passed, TF, RB,DB abstained

Discussion on how to improve next year's legislative effort:

1. each provider / consumer group "adopt a new legislator";
2. Disability Vote Project sponsoring a candidates meet the voters consumer / provider;
3. send email asking advocates who & when they are holding any candidates forum; and
4. Identify a "lead committee member" on each of the Commission's bills
5. Sensitive General Assembly Committee Chairs to the need for transportation dependent consumers to be heard early.

	Agenda Topics	Moderator/Leader	Time
	Public Forums	Bob Cooper	3:30

meeting graphic

**Purpose/Goal:** To complete plans for the forums, identify committee members who will take responsibility to ensure each forum

**Monday July 26, 2010 2:00 pm- 4:00 pm**, at the Middletown Public Library's Community Room, 700 West Main Road, Hosted by Looking Upwards;  
**Monday July 26, 2010 4 - 6 pm**, at the RI Department of Administration's 2nd floor Conference Room A, One Capitol Hill, Providence, Hosted by the RI Department of Health's Office of Special Healthcare Needs;  
**Tuesday July 27, 2010 2 - 4 pm**, at the Barrington Public Library's Gallery Room, 281 County Road, Hosted by the RI Statewide Independent Living Council;  
**Wednesday July 28, 2010 4 - 6 pm**, at the Warwick Public Library's Community Room, 600 Sandy Lane, Hosted by the Ocean State Center for Independent Living;  
**Wednesday July 28, 2010 4 - 6 pm**, at the Independent Square - 25 West Independence Way, Kingston, Hosted by the RI Parent Information Network;  
 and

Thursday July 29, 2010 10 am - Noon, at the Cumberland Public Library's Hayden Meeting Center, 1464 Diamond Hill Road, Hosted by the National Multiple Sclerosis Society, RI Chapter.

 Announcer graphic	<b>Announcements</b>	Linda Ward	4:20
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 calendar graphic	<b>Agenda and Scheduling the Next Meeting</b>	Linda Ward	4:25
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Items to be placed on the next meeting's agenda:  
1. Prepare 2010 Annual Report and 2011 & 2012 Operational Plans  
2.

Next meeting will be on: August 30, 2010

 alarm clock graphic	<b>Adjournment</b>	Linda Ward	4:30
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